



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Seventh day of March Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.5242 of 2022

1 SANKAR
2 MANIKANDAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
PORAIYAR POLICE STATION,
MAYILADUTHURAI DISTRICT
(CRIME NO.52/2022)

[RESPONDENT]

For Petitioner : M/S T. PADMANABHAN Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 448, 323 and 506(1) of IPC in Crime No.52 of 2022 seek anticipatory bail.

2.From the First Information Report, it indicates that due to quarrel on 26.02.2022, at about 06.00 p.m., the petitioners herein have gone to the house of the defacto complainant at 10.00 p.m and attacked the defacto complainant with wooden stick on the right shoulder. The defacto complainant got admitted as inpatient on the same day and he got discharged from the hospital on 27.02.2022. Hence, this complaint.

3.Taking note of the nature of the complaint, this complaint came to be registered two days after the incident. Since the victim has sustained only simple injury and got discharged from the hospital and the incident has occurred due to some misunderstanding between the neighbours, this Court is inclined to grant anticipatory bail to the petitioners.

4.Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of



this order, before the learned District Munsif-cum-Judicial Magistrate, Tharanganbadi, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the Investigation Officer daily at 10.30 a.m. until further orders.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

07/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THARANGANBADI

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM (FOR INFORMATION)



3 INSPECTOR OF POLICE,
PORAIYAR POLICE STATION,
MAYILADUTHURAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S T. PADMANABHAN Advocate on payment of necessary
charges Sr.3550

CRL OP.5242/2022

Date :07/03/2022

RVR 10/03/2022